

July 13, 2006

### BY OVERNIGHT MAIL

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2<sup>nd</sup> Floor
Boston, MA 02110

Re: An investigation by the Department of

Telecommunications and Energy regarding the assignment of interstate pipeline capacity pursuant to Natural Gas Unbundling, D.T.E. 98-32-B (1999).

D.T.E. 04-1

**Dear Secretary Cottrell:** 

Enclosed on behalf of Fitchburg Gas and Electric Light Company d/b/a Unitil ("Unitil"), in response to the Department of Telecommunications and Energy's ("Department") directive in D.T.E. 04-1 concerning the monitoring of conditions in the natural gas markets, are Tables 1 and 2 containing customer migration data. (See D.T.E. 04-1, *Slip Op.* at page 53, footnote 44.) Unitil recognizes that this information is due to be filed with the Department at six month intervals, on May 31 and November 30, and apologizes for this late filing.

Included with this filing is a Motion for Protective Treatment requesting that the details of the competitive suppliers' transactions included in this data be protected from public disclosure for a period of one year. Accordingly, Unitil is providing your office with one CONFIDENTIAL copy of the filing along with nine (9) REDACTED copies.

Gary Epler Senior Counsel

6 Liberty Lane West Hampton, NH 03842-1720

Phone: 603-773-6440 Fax: 603-773-6640 Email: epler@unitil.com Please do not hesitate to contact me if you have any questions concerning this filing.

Sincerely

Gary Epler

### **Enclosure**

cc: Caroline Bulger, Hearing Officer (1 confidential copy)
George Yiankos, Director, Gas Division (1 redacted copy)
Joseph Rogers, Assistant Attorney General (2 confidential copies) (via Overnight Mail)

# THE COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

An Investigation by the Department of Telecommunications	)	<b>P P P O</b> 4 1
and Energy Regarding the Assignment of Interstate Pipeline Capacity Pursuant to Natural Gas Unbundling.	))	D.T.E 04-1

# MOTION OF FITCHBURG GAS AND ELECTRIC LIGHT COMPANY FOR PROTECTIVE TREATMENT

NOW COMES Fitchburg Gas and Electric Light Company d/b/a Unitil ("Unitil") and respectfully requests that the Department of Telecommunications and Energy ("Department") grant it protection from public disclosure for a period of one year for certain confidential and competitively sensitive information submitted in compliance with the Department's Order in Docket D.T.E. 04-1. In support of this Motion, Unitil states:

- 1. Unitil requests protection from public disclosure the following information: the "Throughput" and "Active Period" provided for each marketer on Table 2, submitted in the filing accompanying this motion, in compliance with D.T.E. 04-1, *Slip Op.* at 53, fn. 44.
- 2. G.L. c. 25, § 5D is specifically designed to protect against disclosure of competitively sensitive information. That provision, in part, provides:

[T]he [D]epartment may protect from public disclosure, trade secrets, confidential, competitively sensitive or other proprietary information provided in the course of proceedings conducted pursuant to this chapter. There shall be a presumption that the information for which protection is sought is public information and the burden shall be upon the proponent of such protection to prove the need for such protection. Where such a need has been found to exist, the [D]epartment shall protect only so much of the information as is necessary to meet such need.

3. Unitil submits that the provisions of this filing described above should be protected from public disclosure because this information is competitively sensitive information concerning the details of supplier transactions. This information is normally not disclosed by Unitil, and Unitil takes steps to protect this information from public disclosure. This information reveals data and detail concerning Unitil's gas suppliers and marketers and may enable parties to use this normally undisclosed information to Unitil's or its customers disadvantage. Unitil submits that this information is well within the scope of "confidential, competitively sensitive or other proprietary information" contemplated by G.L. c. 25, § 5D, and accordingly, should be protected from public disclosure.

WHEREFORE, for all the reasons set forth in this Motion, Unitil respectfully requests that the Department issue an Order granting protective treatment to the provisions of the filing described above.

Respectfully submitted,

Gary Epler / Senior Counsel

Unitil Service Corp.

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Hampton, NH 03842

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## Certificate

I certify that a copy of this Motion for Protective Treatment has been served this 13th day of July 2006, via overnight express mail, upon the Massachusetts Office of the Attorney General.

Table 1: Sales, Transportation and Reverse Migration Service

									F	irm '	Tarif	f Sal	es					
Total**	Others (9)	ІТ (8)**	IS (7)**	Total C&I	G54	G53	G52	G51	G44	G43	G42*	G41	Total Residential	R3, R4	R1, R2			Nov 05 - Apr 06
0	. 0	0	0	1,478		6	67	299	0	9	192	905	13,543	10,535	3,008	(1)	FS	
0.00%	0.00%	0.00%	0.00%	97.36%	0.00%	0.41%	4.53%	20.23%	0.00%	0.61%	12.99%	61.23%		77.79%	22.21%	(2)	%	
0			0	1,518		10	71	307		12	208	910	13,543	10,535	3,008	(3)	∄	
0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.66%	4.68%	20.22%	0.00%	0.79%	13.70%	59.95%		77.79%	22.21%	(2)	%	Average Nu
0	0	0	0	40	0	4	4	8	0	ω ω	16	5	0	0	0	(4)	7	Average Number of Customers
0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	10.00%	10.00%	20.00%	0.00%	7.50%	40.00%	12.50%	0.00%	0.00%	0.00%	(2)	%	istomers
4	0	4	4	٥	0	0	0	0	0	0	0	0	0	o	0	(5)	NFT	
0.00%	0.00%	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	(2)	%	
				1							_		o	L		(6)	RM	
0	0	0	0	626,675	0	60,060	53,942	35,197	0	71,522	249,969	155,985	802,225	751,620	50,604	3	FS	
0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	9.58%	8.61%	5.62%	0.00%	11.41%	39.89%	24.89%	100.00%	93.69%	6.31%	(2)	%	
0	0	0	0	787,870	0	136,568	59,726	37,417	0	103,806	293,074	157,279	802,225	751,620	50,604	(3)	⊐	
0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	17.33%	7.58%	4.75%	0.00%	13.18%	37.20%	19.96%	100.00%	93.69%	6.31%	(2)	%	Total Throu
0	0	0	0	161,196	0	76,507	5,785	2,220	0	32,285	43,106	1,294	0	0	0	(4)	Ŧ	Total Throughput (MMBtu
0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	47.46%	3.59%	1.38%	0.00%	20.03%	26.74%	0.80%	0.00%	0.00%	0.00%	(2)	%	Ë
5,788	0	5,788	5,788	0	0	0	0	0	0	0		0	0	0	0	(5)	NFT	
0.00%	0.00%	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	(2)	%	
				864							864					(6)	RM	

Firm Sales
 Percentage over the Total's Customer Class
 Total transportation (firm and non-firm)
 Firm Transportation - Competitive Generation
 Non-Firm Transportation

<sup>(6)</sup> Reverse Migration
(7) Interruptible Sales
(8) Interruptible Transportation
(9) Firm Off-Tariff Contracts (Special contracts -- GC)
(10) Indicate Applicable Season and Year (e.g., Summer 04 or Winter 04-05)

<sup>\*</sup> in April 2006 one customer was incorrectly overbilled by 30,397 dekatherms. Bill was cancelled and rebilled however, the incorrect usage was recorded in the Company's billing system for the month of April. While the cancel/rebill doesn't appear until May 2006 in the billing system, the Company has included corrected data above.

\*\* There is a total of 4 IG customers and each has IS and IT charges.

# Fitchburg Gas and Electric Light Company Delivery New England

Customer Migration Data for the Mass D.T.E.

Table 2: Active Marketers

Season:Peak 2005- 2006	Throughp	Throughput (MMBtu)	Active	Active Period
	Transportation Volume	Percentage of Total	Entering Date	Exiting Date
Amerada Hess				
Direct Energy				
Global				
Metro				
Santa Buckley				
Select				
Sempra				
Sprague				
Trigen*				
US Gypsum*				
Utility Resource				
Total	394,748	21%		
Total FGE company	1,874,792			
*Customer Action as their own supplier	plier			

<sup>\*</sup>Customer Acting as their own supplier.